

ASSEMBLY BILL

No. 2149

**Introduced by Assembly Member Atkins
(Coauthor: Assembly Member V. Manuel Pérez)**

February 20, 2014

An act to add Section 20147 to the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2149, as introduced, Atkins. The Local Agency Public Construction Act: County of San Diego: exemption.

Existing law, the Local Agency Public Construction Act, requires counties, among others, to comply with specified procedures for contracting for public works projects, as defined, including, the use of a competitive bidding process and awarding contracts to the lowest responsible bidder.

Existing law provides that specified provisions of the act applicable to public works contracts awarded by counties, as specified, do not apply to certain contracts between the County of Napa and the State of California.

This bill would provide that those provisions of the act would also not apply to a contract entered into by the County of San Diego with a private entity for the delivery of a regional communications system and any related infrastructure to be used by public safety agencies and emergency responders located in the Counties of Imperial and San Diego. This bill would authorize the County of San Diego to use any competitive procurement method to procure the regional communications system and all related infrastructure, as specified.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of San Diego.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 20147 is added to the Public Contract
2 Code, to read:

3 20147. (a) Notwithstanding any other law, this article shall
4 not apply to a contract entered into by the County of San Diego
5 with a private entity for the delivery of a regional communications
6 system and any related infrastructure to be used by public safety
7 agencies and emergency responders located in the Counties of
8 Imperial and San Diego.

9 (b) The County of San Diego may use any competitive
10 procurement method to procure the regional communications
11 systems and related infrastructure described in subdivision (a)
12 including provisions of this article that would otherwise apply to
13 the County of San Diego.

14 SEC. 2. The Legislature finds and declares that a special law
15 is necessary and that a general law cannot be made applicable
16 within the meaning of Section 16 of Article IV of the California
17 Constitution because of the unique public safety needs in the
18 County of San Diego.